

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEITH HOWARD,

Plaintiff,

Case No. 5:06-cv-102

v.

Honorable Richard Alan Enslen

STATE OF MICHIGAN, *et al.*,

Defendants.

ORDER OF DISMISSAL

This is a prisoner civil rights action. On July 26, 2006, the Court issued an Order for service of the Complaint. The Order required Plaintiff to obtain 56 copies of the Complaint and exhibits for service upon Defendants, and to file those copies with the Court within fifteen business days. Alternatively, Plaintiff was required to file an affidavit explaining why he was unable to provide the requested copies within the fifteen-day period. The Court warned that Plaintiff's failure to submit the requested copies within the time provided by the Court could result in the dismissal of his action.

After a month had passed, Plaintiff had not complied with the Court's Order by filing the requisite copies or an affidavit explaining his inability to do so. Accordingly, the Court ordered Plaintiff to show cause within fifteen days why his action should not be dismissed without prejudice for failure to comply with the Court's Order for service. The Court again warned that Plaintiff's failure to respond to the Court's Order may result in dismissal without prejudice by the district judge.

More than fifteen days have passed and Plaintiff has failed to comply with the Court's Order to Show Cause. In light of Plaintiff's failure to comply with the Court's Order for service and subsequent Order to Show Cause, Plaintiff's action will be dismissed without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). Therefore:

IT IS HEREBY ORDERED that Plaintiff's action is **DISMISSED**.

DATED in Kalamazoo, MI:
October 2, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE